



**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL - COUNCIL CHAMBERS
450 CYPRESS CREEK BOULEVARD, BUILDING FOUR
THURSDAY, JUNE 14, 2012 AT 6:30 P.M.**

Mayor Matt Powell
Stephen Thomas, Council Place One
Mitch Fuller, Council Place Two
Scott Mitchell, Council Place Three

Mayor Pro Tem Tony Dale
Lowell Moore, Council Place Four
Don Tracy, Council Place Six
Brenda Eivens, City Manager

AGENDA

- A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.
- A.2 Invocation. (3)
- A.3 Pledges of Allegiance. (U.S. and Texas)
- A.4 Presentation: Recognition Of Chief Chris Connealy, Fire Department, And His Service To The City Of Cedar Park.
- A.5 Presentation: Recognition Of Brenda Eivens, City Manager, As The 2012 Central Texas Public Administrator Of The Year. (Dale)
- A.6 Presentation: A Proclamation Recognizing And Honoring Soledad Mercado For Receiving The Service Unit Outstanding Leader Award Of The Year By The Girl Scouts. (Dale)
- A.7 Presentation: A Proclamation Recognizing And Honoring The Toros As The 2012 NBA Development League Champions. (Powell)
- A.8 Recess For Appreciation Of Staff And Presentation Recipients.
- A.9 Citizens Communications. (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Council. Council May Respond With Factual Information)

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

- A.10 Mayor and Council Opening Comments.
- A.11 City Manager Report: Review of Quarterly Capital Improvement Program Progress Report - Garret Bonn, Project Manager.
- A.12 City Manager Report: Quarterly Investment Report For The Period Ending March 31, 2012.
- A.13 City Manager Report: Review Of The April Monthly Financial Report.

CONSENT AGENDA

Pursuant to Council Rule 2.3, the City Council Consent Agenda consists of all matters set forth on Agenda Items B, C, and D.

- B.1 Approval Of City Council Minutes From The Regular Scheduled Meeting Of May 10, 2012.
- B.2 Approval Of City Council Minutes From The Special Called Meeting Of May 22, 2012.
- B.3 Receipt Of Minutes From The Tourism Advisory Board Meeting Of March 27, 2012.
- C.1 (Z-12-005) Second Reading And Approval Of An Ordinance To Assign Original Zoning Of Local Retail - Conditional Overlay (LR-CO) For Approximately 7.47 Acres For Property Located At 1321 West New Hope Drive. The Conditional Overlay Increases The Northern Buffer From 20 Feet To 40 Feet. **The Planning And Zoning Commission Voted 6-0 To Approve The Request.**
- D.1 A Resolution Authorizing And Directing The City Manager To Apply For And Accept The Regional Homeland Security Grant Surplus Funds From The Texas Homeland Security State Administrative Agency.
- D.2 A Resolution Authorizing And Directing The City Manager To Apply For The Bulletproof Vest Partnership Funding From The Department Of Justice, Bureau Of Justice Assistance.
- D.3 A Resolution Authorizing and Directing The City Manager To Apply For The Firehouse Subs Public Safety Foundation Grant Program for 2012.
- D.4 A Resolution Amending The Future Land Use Plan For Property Located Along New Hope Road Between Lakeline Boulevard And Bagdad Road From Low Density Residential To Neighborhood Office/Retail/Commercial. The Planning And Zoning Commission Voted 6-0 To Approve This Amendment.
- D.5 A Resolution Authorizing Procurement Of Services From Lewis Concrete Restoration For Application Of An Epoxy Coating To Certain Wastewater Manholes In An Amount Not To Exceed \$100,000 In Any Fiscal Year With Renewal Each Year For Up To Five Renewals.

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- D.6 A Resolution Designating Mayor Matt Powell As The City Of Cedar Park Emergency Management Director And Affirming The Designation Of Michael Clanton As The Emergency Management Coordinator ("EMC") And James Mallinger As The Assistant Emergency Management Coordinator For The City Of Cedar Park.
- D.7 A Resolution Designating Mayor Matt Powell To Serve On the Capital Area Metropolitan Planning Organization ("CAMPO") Transportation Policy Board, Granting Mayor Powell Authority And Designating The City Council As Alternates In His Absence At Meetings And/Or Activities.
- D.8 A Resolution Authorizing And Directing The City Manager To Execute Change Order #1 With Spawglass Contractors, Inc., For The Field Operations Expansion Project In The Amount Of \$138,892.
- D.9 A Resolution Awarding The Construction Bid For The Fire Station #2 Renovation Project To S&G Contracting, Inc. For \$231,600.
- D.10 A Resolution Authorizing and Directing The City Manager To Apply For The Margaret Alexander Edwards Trust Grant for Fiscal Year 2013.
- D.11 A Resolution Authorizing And Directing The City Manager To Execute A Purchase Contract Between The City Of Cedar Park And Romain Ltd. Under The Bagdad Road (RM1431 To Kettering Drive) Reconstruction Project.
- D.12 A Resolution Authorizing And Directing The City Manager To Execute An Advance Funding Agreement With The Texas Department of Transportation For The Construction Of The Bagdad Road (RM 1431 to Kettering Drive) Roadway Improvement Project.

PUBLIC HEARINGS

- E.1 OA-12-002 First Reading And Public Hearing Of An Ordinance Amending Chapter 11 Zoning, Article 11.12 Definitions; Article 11.05 Architectural Design Standards, Adding Division 3 Design Requirements For Large Scale Retail Developments; And Chapter 14 Site Development, Section 14.12.001 General Definitions; All Such Amendments And Additions Relating To Large Scale Retail Development. **The Planning And Zoning Commission Voted 4-0 To Recommend The Amendment.**

REGULAR AGENDA (NON-CONSENT)

- F.1 (Z-12-004) Consideration For The Second Reading And Approval Of An Ordinance To Rezone Approximately 34 Acres Located Near The Northeast Corner Of West Whitestone Boulevard And West New Hope Drive From Development Reserve (DR) And Business District (BD) To Approximately 9.62 Acres Of Local Retail-Conditional Overlay (LR-CO), Approximately 11.34 Acres Of General Retail (GR), And Approximately 12.43 Acres Of Light Industrial-Conditional Overlay (LI-CO).

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- F.2 Consideration To Approve A Resolution Amending The Future Land Use Plan For Property Located At The Northeast Corner Of West Whitestone Boulevard and West New Hope Drive From Neighborhood Office/Retail/Commercial And Employment Center To Neighborhood Office/Retail/Commercial, Regional Office/Retail/Commercial And Employment Center.
- F.3 Review And Update Of The 2012 International Codes, The 2011 National Electrical Code, Recommended Electrical and Fire Code Amendments, And The Proposed Code Adoption Schedule - Mark Lewis, Building Inspections and Randle Blesing, Fire Marshal.
- F.4 Consideration Of Appointing Council Representatives To Attend The Central Texas InterCity Visit.
- F.5 Consideration Of Appointment To Place Three On The Parks And Recreation Advisory Board. (Mitchell)
- F.6 Consideration Of Appointment To Places One, Three And Five On The Tax Increment Reinvestment Zone #1 With A Term To Expire January 31, 2014. (Powell)
- F.7 Consideration To Adjust Place One And Place Seven Appointments On The Community Development Corporation ("4B") Board, Parks And Recreation Advisory Board, Planning And Zoning Commission, Arts Advisory Board And The Tourism Board. (Powell)
- F.8 Consideration And Recommendation Of A Gateway Monument Sign Option.

EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, Vernon's Texas Code Annotated (V.T.C.A.) (Open Meetings Law), "The City Council may meet in a Closed Executive Meeting pursuant to provisions of the Open Meetings Law, Chapter 551, Government Code, V.T.C.A. in accordance with the authority contained in the following sections":

- G.0 Executive Session:
- G.1 Section 551.071 (1) Consultation With City Attorney Concerning Litigation
 - a. Cause No. 11-686-C277; City Of Cedar Park, Texas v. DPC Industries, Inc.; In the 277th Judicial District Court of Williamson County, Texas
- G.2 Section 551.071(2) Of The Texas Local Government Code Consultation With City Attorney Concerning Legal Matters For Which He Has A Duty to Discuss As Covered By The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas.
 - a. Legal Issues Concerning Zoning Case Z-12-001 Pertaining To 1.3 Acres Of Land On Lakeline Boulevard, North Of Old Mill
 - b. Legal issues Concerning City's 380 Agreement With Cedar Park Land, LP.
- G.3 Section 551.072 Deliberation Concerning The Purchase, Exchange, Lease Or Value Of Real Property

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a. Legal Issues Concerning Terms And Conditions To Acquire Real Property For Fire Station Number Five.

G.4 Section 551.087 Deliberation Regarding Economic Development Negotiations

a. Legal Issues Regarding An Economic Development Agreement For A Major Retail Development.

The Council Reconvenes into General Session.

OPEN MEETING

Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session.

H.0 Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session

H.1 Mayor And Council Closing Comments.

H.2 Adjournment.

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. All agenda items are subject to final action by the City Council. Separate agenda items may be combined and discussed together at the discretion of the Chair.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of "Citizen Communications" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session Items on this agenda.

CERTIFICATION

I certify that the above notice of the Regular Scheduled City Council Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 450 Cypress Creek Road, Building Four, Cedar Park, Texas. This notice was posted on:

Date Posted: JUN 11 '12 PM 1:06
Date Stamped (Month, Day, Year, AM/PM, Time)

The Cedar Park City Hall Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (512) 401-5002 or FAX (512) 401-5003 for further information.


LeAnn M. Quinn, TRMC
City Secretary

Notice Removed: _____
Date Stamped (Month, Day, Year, AM/PM, Time)

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